

REMARKS

Claims 1, 3, 12, 15 and 16 are rejected, Claims 19 and 20 are allowed, and Claims 2, 4-11, 13, 14, 17 and 18 are objected to. Applicant thanks the Examiner for noting that Claims 19 and 20 are allowable and that Claims 2, 4-11, 13, 14, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully requests that Claims 2 and 13 be canceled without prejudice. Therefore, Claims 1, 3-12 and 14-20 are currently pending. Applicant respectfully requests further examination and reconsideration in view of the remarks set forth below. Applicant believes that the amendments herein to the patent application do not add new matter to it.

35 U.S.C. §112 Rejections

The present Office Action states on page 2:

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 1, it appears that "port frequency" is not disclosed in the specification.

Applicant respectfully disagrees with the above assertions. Applicant respectfully submits that the specification of the patent application does teach about "port frequency" (e.g., see page 5, lines 9-18; page 8, line 24 – page 9, line 3; page 9, lines 5-13; page 11, lines 4-13; page 13, lines 5-10). As such, Applicant respectfully requests removal of this rejection.

35 U.S.C. §103 Rejections

Claims 1, 3, 12, 15 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Raza et al. (U.S. Patent No. 7,016,349) in view of De Korte et al. (U.S. Patent No. 5,822,776).

Claims 1 and 3

Applicant has herein amended independent Claim 1 to substantially include the subject matter of objected to dependent Claim 2. As such, Applicant has herein canceled Claim 2 without prejudice. Therefore, Applicant respectfully submits that amended Claim 1 overcomes the rejection under 35 U.S.C. §103(a), and is thus in condition for allowance. Furthermore, since Claim 3 depends from allowable Claim 1, Applicant respectfully submits that dependent Claim 3 overcomes the rejection under 35 U.S.C. §103(a), and is thus in condition for allowance for at least being dependent on an allowable base claim.

Claims 12, 15 and 16

Applicant has herein amended independent Claim 12 to substantially include the subject matter of objected to dependent Claim 13. As such, Applicant has herein canceled Claim 13 without prejudice. Therefore, Applicant respectfully submits that amended Claim 12 overcomes the rejection under 35 U.S.C. §103(a), and is thus in condition for allowance. In addition, since Claims 15 and 16 depend from allowable Claim 12, Applicant respectfully submits that dependent Claims 15 and 16 overcome the rejections under 35 U.S.C. §103(a), and are thus in condition for allowance for at least being dependent on an allowable base claim.

CONCLUSION

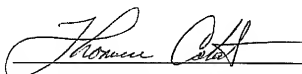
For all the reasons advanced above, Applicant respectfully submits that pending Claims 1, 3-12 and 14-20 are in condition for allowance and that action is respectfully solicited.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Please charge any required fees or credit any overpayments to Deposit Account Number: 50-4160.

Respectfully submitted,
MURABITO, HAO & BARNES LLP

Dated: APRIL 14, 2008

A handwritten signature in dark ink, appearing to read "Thomas M. Catale", is written over a horizontal line.

Thomas M. Catale
Registration No.: 46,434

MURABITO, HAO & BARNES LLP
Two North Market Street, Third Floor
San Jose, CA 95113

Telephone: (408) 938-9060
Facsimile: (408) 938-9069